

Appl. No. 10/781,464
Reply to Office Communication of March 2, 2005

Confirmation No. 1780

REMARKS

Without acquiescing to the statements made in the Restriction Requirement of November 3, 2004 or the Office Communication of March 2, 2005, Applicant hereby maintains the election with traverse of the claims of Group I (claims 1-14 and 32-34) for prosecution in the instant application as elected in the response of February 1, 2005. Further, Applicant elects with traverse composition (a) of claim 1 (an iron-sequestering glycoprotein, a cationic polypeptide, and a chelating agent), ovotransferrin from claim 8, and protamine sulfate from claim 9.

The traversal is on the ground that sufficient reasons and/or examples to justify a Restriction Requirement have not been provided. Applicant submits that the election of (a) will necessitate a search that also encompasses both (b) and (c). Additionally, Applicant submits that it would not be unduly burdensome to search the compositions of claims 8 and 9, since search and examination of the one composition encompass the other compositions (e.g., ovotransferring, serotransferrin, and lactoferrin). Therefore, Applicant respectfully submits that the Examiner has not established an undue burden in examining claims 1, 8, and 9 as presented.

Applicant maintains that it would not be unduly burdensome to search the claims of Group II, since search and examination of the compositions of Group I would likely encompass the method of treating a surface with the compositions of Group I as claimed in Group II. Therefore, Applicant respectfully submits that the Examiner has not established an undue burden in examining Groups I and II in the same application.

Applicant wishes to remind the Examiner, although the Examiner is aware, that non-elected process claims that depend from the patentable product claim can be re-joined upon allowability of the product claims and prior to final rejection or allowance.

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If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,



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